

**CITY OF CONCORD**  
**ZONING BOARD OF ADJUSTMENT**

**FOR OFFICE USE ONLY**

**APPLICATION FOR APPEAL**

Case Number: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_

\_\_\_\_\_ Administrators Decision  
\_\_\_\_\_ Special Exception  
\_\_\_\_\_ **XX** Variance  
\_\_\_\_\_ Equitable Waiver  
\_\_\_\_\_ Other: \_\_\_\_\_

NAME OF APPLICANT \_\_\_\_\_ PHONE NO. \_\_\_\_\_

ADDRESS \_\_\_\_\_

OWNER OF PROPERTY \_\_\_\_\_

LOCATION & DESCRIPTION OF PROPERTY \_\_\_\_\_

Note: If the subject property is encumbered by any conservation, preservation or agricultural preservation restrictions or easements the applicant must supply the names and addresses of the holders of the restriction or easement when submitting this application.

MAP/BLOCK/LOT. \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_

OVERLAY DISTRICTS \_\_\_\_\_ SITE PLAN APPROVAL REQUIRED \_\_\_\_\_

PROPOSED USE \_\_\_\_\_

DETAILS OF REQUEST \_\_\_\_\_

FOR OFFICE USE ONLY \_\_\_\_\_

**PROPOSED DEVELOPMENT:**

Use.....	_____ Conforming	_____ Non-Conforming
Lot Coverage.....	_____ Conforming	_____ Non-Conforming
Setbacks.....	_____ Conforming	_____ Non-Conforming
Height.....	_____ Conforming	_____ Non-Conforming
Parking/Loading..	_____ Conforming	_____ Non-Conforming
Other.....	_____ Conforming	_____ Non-Conforming

The undersigned hereby requests a variance from the terms of Article \_\_\_\_\_,  
Section \_\_\_\_\_ and asks that said terms be waived to permit the following: \_\_\_\_\_

\_\_\_\_\_

The applicant bears the burden of presenting evidence sufficient to allow the Zoning Board to reach conclusions and make findings to support the authorization of a variance. To do so, the undersigned alleges that the following legal criteria for granting a variance are satisfied, and submits the accompanying written statement, records, photographs, and other materials to justify the granting of the variance and to explain how each of the criteria for the variance is or will be satisfied.

1. Denial of the variance would result in unnecessary hardship to the owner because:

A. Owing to special conditions of the property that distinguish it from other properties in the area:

a. the zoning restriction as applied to the property interferes with the reasonable use of the property:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. no fair and substantial relationship exists between the general purposes of the Zoning Ordinance and the specific restrictions on the property because:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

OR

B. Owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance and a variance is therefore necessary to enable a reasonable use of the property because:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. The granting of a variance will not be contrary to the spirit and intent of the Ordinance

because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. The authorization of a variance will not be contrary to the public interest because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Authorization of a variance will result in substantial justice because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Authorization of a variance will not diminish the value of surrounding properties because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ZONING APPEAL: Supporting Documentation:**

The Applicant shall submit to the Board of Adjustment three copies of the Application for Appeal and all supporting documents.

A. Area of lot \_\_\_\_\_ square feet.

B. Area of buildings \_\_\_\_\_ square feet.

C. Area of parking and loading facilities \_\_\_\_\_ square feet

D. Ratio of building area to lot area \_\_\_\_\_%.

E. Ratio of total building, parking, loading areas to lot area \_\_\_\_\_%.

The applicant shall submit to the Board of Adjustment **three copies** of a complete and legible site plan, drawn to scale showing in correct detail the following elements **where applicable**:

1. Location of existing and proposed buildings;
2. Proposed layout of existing and proposed outside facilities;
3. Proposed layout of parking areas and loading bays; including
4. Proposed type and location of screening, of recreation and play areas, and of areas for outside storage of materials;
5. Location of access, egress, and interior roadways;
6. Location and adequacy of utilities, drainage, and provision for public safety.

IMPORTANT:

Site plans must be provided according to the above listed elements, and, if in the Code Administrator's determination such site plan is inadequate, any Special Exception and/or Variance appeal will not be placed on the agenda until he/she feels all requirements have been met. An appellant has the right to appeal the Code Administrator's denial of such placement on the agenda. If the Board, upon such appeal, sustains the Code Administrator's denial, it will not hear the case until the case is properly noticed following submission of an adequate site plan. If the Board overrules the Code Administrator's denial, the case will be heard that evening or at the next soonest Board meeting for which the appellant is prepared to proceed.

Application Fees. At the time of application, a non-refundable fee shall be submitted together with the application to cover the costs of the advertising, notification, and processing of the application. The applicant shall be required to pay for any special investigative studies deemed necessary by the ZBA. Any application that is withdrawn prior to consideration by the ZBA, deemed incomplete by the ZBA, or tabled for further consideration by the ZBA shall require the submission of another non-refundable fee prior to further consideration of the application by the ZBA. A schedule of application fees is listed in Schedule I of Chapter 1. The fee shall be payable at the Code Administration office at the time the application or appeal is filed. The fee shall include the cost of abutter notification and all other costs of legal notice.

Application Deadline and Notification: An application shall be filed at least thirty (30) days before a regularly scheduled meeting of the ZBA. An application to the ZBA shall include a completed application form, a list compiled by the applicant of the names and addresses of all abutters and parties entitled to notification in accordance with RSA 676:7, and any other documents that may be deemed necessary.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: Application must be sign signed by the owner of the property or other person having the legal right to apply as an agent of the owner. If signed by a person other than the owner of the property documentation of the legal right to apply as an agent of the owner must be supplied at the time the application is submitted.